

SELF-SERVICE CENTER

INSTRUCTIONS: HOW TO REQUEST CHILD SUPPORT

NOTE: There will be a fee for filing this Request. If you cannot pay the fee, you may ask that it be deferred. The Self-Service Center has the necessary forms.

FAMILY COURT COVERSHEET:

Print clearly or type using black ink only.

Case Type: Check only one box that matches the legal procedure for which you are filing the documents in this packet.

Information About the Petitioner: Write in your name, address, home telephone number, work telephone number, cell phone/pager number, date of birth and e-mail address in the space provided. If your address and telephone numbers are protected, you do not need to fill in this information. However, you must let the Clerk of the Court know how to reach you. If a lawyer represents you, the Petitioner, you must also write in the lawyer's name and bar number.

Information about the other party, the Respondent: Write in the name of the Respondent. If you know the Respondent's address, home telephone number, work telephone number, cell phone/pager number, date of birth and e-mail address, you must write in this information.

Minor Children Involved: List the names and dates of birth for any minor children involved in this specific case.

Other Minor Children: If there are other children of either the Petitioner or the Respondent or both not involved with this case, list their names on the lines provided.

Other court cases: Check the appropriate box to tell this Court if either you or your spouse have been involved in any other cases, except a minor traffic offense, in any other court. If you check the Yes box, please describe the case, including case numbers and court location.

Domestic Violence Section: Answer the questions listed regarding domestic violence. This information will help court staff determine if this issue is relevant to this case.

Children's Issues Section: Answer the questions regarding the children you listed on the Family Court Cover Sheet. This information will help court staff determine if these issues are relevant to this case, and/or whether a case exists in this Court already regarding any child you listed.

Location: Check the box to indicate whether you are filing your documents at the Downtown Phoenix, Mesa, Surprise or North Phoenix courthouse location.

REQUEST TO ESTABLISH CHILD SUPPORT:

Follow the instructions numbered to match the numbers on the form.

TYPE OR PRINT NEATLY IN LARGE CLEAR LETTERS USING BLACK INK.

- (1) Fill in the name, address, and phone number of the person filing the form. (An attorney must also list the name of the person represented and the attorney's State Bar Number.)
- (2) Fill in the name of the persons shown as "Petitioner" or "Respondent" on any other case filed in the Superior Court of Arizona where custody, support, or paternity of the children named here was an issue. If this is the first family court case concerning this Petitioner and Respondent, list the name of the person who is filing these papers as "Petitioner" and the other party as "Respondent."
- (3) Fill in the case number that was assigned for any prior case concerning the custody, support or paternity of the children named here was an issue. If there is no prior case, leave this blank; the Clerk of Court will provide a case number.
- (4) Fill in the name and date of birth for each child for whom support is requested.
- (5) Check the appropriate box(es) to indicate how paternity was established for the child(ren) for whom you are asking the Court to order support. If the choices listed here do not apply, **STOP!** You should not use these forms unless or until paternity has been established or unless an attorney has advised you to proceed.
- (6) Do not sign and date the Request until you are directed to do so by a Notary Public or a Clerk of the Superior Court. Your notarized signature states to the Court that the information you have provided is true and correct to the best of your knowledge, under penalty of law.

ORDER TO APPEAR:

- (1) Fill in the name, address, and phone number of the person filing the form. (An attorney must also list the name of the person represented and the attorney's state bar number.)
- (2) Fill in the name of the county in which this request is being filed. (This has already been printed on the form for you.)
- (3) Fill in the name of the person shown as the Petitioner on any other case filed in the Superior Court of Arizona where custody, support, or paternity of the children named here was an issue.
- (4) Fill in the name of the person shown as the Respondent on the case used for item 3 above.
- (5) Fill in the case number that appears on the case used for item 3 above.
- (6) Fill in the name and address of the other party.
- (7) Leave this area blank. Clerk of Superior Court staff will complete it when you file these documents.

WHEN YOU HAVE COMPLETED THE FORMS:

- 1: Make copies of the papers.** Make **(3)** three **copies** of all the paperwork you completed: one or you, one for the judge, one for the other party. The **original** is for the Clerk of the Court.

The filing fee for this process, is **\$276**. If you cannot afford the fee, ask the Clerk of the Court for the paperwork on deferring court filing fees. You can also get a deferral of the fees for the Sheriff to serve the papers, if you qualify.

- 2. File the papers with the Clerk of the Court:** File the original Family Court Coversheet, the Petition, the Order to Appear and the Parent's Worksheet, with the Clerk of the Court at the filing counter. The Clerk will give you back the **ORIGINAL "Order to Appear."** Ask the Clerk to stamp the extra copies for you to show that you have filed these papers with the Clerk. These are called "conformed" copies.

3. Mail or hand-deliver the papers to Family Court Administration or the Judge who is assigned to your case.

- **Copy** of *Petition to Establish Child Support*, and a blank copy of *Parent's Worksheet for Child Support*.
- **Original** and **2 copies** of the *Order to Appear*.
- A 9 x 12 self-addressed, envelope with enough postage so the staff can return your paperwork to you.

4. What the judge will do: The judge will decide one of the following, based on the paperwork you submitted.

- Schedule a hearing for you and the other party to come to talk to the judge about the case.
- Dismiss the case because the judge thought your paperwork did not show a legal reason to proceed.
- Enter other orders the judge thinks proper.

5. Wait to hear back from the judge about your court hearing: Wait 2 weeks to receive the paperwork from the Judge.

6. Serve the papers on the other party: If the judge decided to set a hearing, you **must** arrange for service of the following papers on the other party:

- *Petition to Establish Child Support*.
- A copy of the *Parent Worksheet for Child Support* you completed.
- *Order to Appear* signed by the judge.

Sometimes the other party will **ACCEPT** service in which case he or she must sign the document called an **"Acceptance of Service" in front of a Notary or Deputy Clerk of Court**, which you must then file with the Court. If the other party does **not** accept service, then you must contact a process server or the Sheriff to serve the papers on the other party. Give the process server or Sheriff a **copy and the original "Order to Appear."**

After serving the other party, the process server or Sheriff will file an **"Affidavit of Service"** and will file the original **"Order to Appear"** with the Clerk of the Court. If the other party accepted service, then you must file the original **"Order to Appear"** and the original **"Acceptance of Service."**

7. Go to the court hearing: If the judge scheduled a hearing, be sure to write down the date, time and place of the court hearing, and come to the hearing. **Be on time.** Dress neatly. Be prepared to tell the judge why the order for support should be changed. **Do not bring children to court.**

You should bring the following things to the court hearing:

- A **copy** of the *Petition to Establish Child Support*, and *Parents Worksheet for Child Support* completed by you;
- **Original Order of Assignment**, and,
- **Child Support Order**